

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 4723 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE A.L.DAVE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

CHAIRMAN, MEHSANA DUDH

UTPADAK SAHKARI SANGH LTD.

Versus

LAKHUBHAI JAGMALBHAI, PARTNER OF SHREEJI CORPORATION

Appearance:

MR MEHUL SHARAD SHAH for Petitioners

NOTICE SERVED for Respondent No. 1

MR UMESH TRIVEDI ADDL PUBLIC PROSECUTOR for Respondent No. 2

CORAM : MR.JUSTICE A.L.DAVE

Date of decision: 06/07/1999

ORAL JUDGEMENT

#. Heard Mr.Mehul S. Shah, learned advocate for the petitioner. The respondent No.1 who is the partner of Shreeji Corporation has retired and his partner Govindbhai Laxmanbhai Patat, partner of Shreeji Corporation is present in the Court. He has filed affidavit. The State is represented by Shri Umesh

Trivedi, learned APP.

#. It is stated that the dispute between the respondent No.1 - the complainant and the accused - the petitioner is now settled. It is stated that the complaint was the outcome of some misunderstanding and therefore, the respondent No.1 in his affidavit has stated that the complaint may be quashed.

#. Apart from this affidavit, even on merits, if the complaint is perused, it is amply clear that it relates to civil dispute and does not fulfil required ingredients of the offence alleged. Under these circumstances, on merits also, the complaint deserves to be quashed. In this view of the matter, the complaint being Criminal Case No : 1320 / 97 before C.J.M., Mehsana is hereby quashed and set aside. Rule is discharged.

Date : 6-7-1999 [A.L.Dave, J.]

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